

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

Wilmington Savings Fund Society, FSB, d/b/a Christiana

Trust, not individually but as trustee for Pretium

Mortgage Acquisition Trust

In Re:

John J. Neely,

Debtor.



Order Filed on December 20, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-24930 MBK

Adv. No.:

Hearing Date: 1/12/2022 @ 10:00 a.m.

Judge: Michael B. Kaplan

ORDER RESOLVING CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: December 20, 2021

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: John J. Neely

Case No: 18-24930 MBK

Caption of Order: ORDER RESOLVING CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust, Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 102 Woodthrush Trail West, Medford, NJ, 08055, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Stacey L. Mullen, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 9, 2021, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due July 2021 through November 2021 for a total post-petition default of \$17,684.16 (1 AO lump sum @ \$10,315.76, 5 @ \$1,473.68); and

It is **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$8,000.00; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$9,684.16 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor will file a modified plan within twenty days of the entry of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume December 25, 2021, directly to Secured Creditor Bank of America, N.A., P.O. Box 660933, Dallas, TX 75266-0933 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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Debtor: John J. Neely

Case No: 18-24930 MBK

Caption of Order: ORDER RESOLVING CERTIFICATION OF DEFAULT

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 for attorneys' fees in an amount to be included in a post-petition fee notice, which is to be paid through Debtor's Chapter 13 plan

It is further **ORDERED, ADJUDGED and DECREED** that the Secured Creditor's Certification of Default is hereby resolved.

In re:
John J. Neely, Jr.
Debtor

Case No. 18-24930-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Dec 20, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 22, 2021:

Recip ID	Recipient Name and Address
db	+ John J. Neely, Jr., 102 Woodthrush Trail West, Medford, NJ 08055-9124

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 22, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 20, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Kevin Gordon McDonald	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Laura M. Egerman	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Dec 20, 2021

Form ID: pdf903

Total Noticed: 1

Sindi Mncina

on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust smncina@raslg.com

Stacey L. Mullen

on behalf of Debtor John J. Neely Jr. slmullen@comcast.net

Steven P. Kelly

on behalf of Creditor Bank of America. N.A. skelly@sterneisenberg.com bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9